

5218. Adulteration and misbranding of acid acetylsalicylic and acetylsalicylic acid tablets. U. S. * * * v. Maurice Gusman (Import Drug Specialties). Plea of guilty. Fine, \$75 and costs. (F. & D. No. 7593. I. S. Nos. 2359-I, 2360-I, 10671-I, 11276-I, 11324-I, 11325-I, 11326-I.)

On November 3, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Maurice Gusman, trading as Import Drug Specialties, Cleveland, Ohio, alleging shipment by said defendant in violation of the Food and Drugs Act, on or about October 18, 1915 (2 shipments), from the State of Ohio into the State of Georgia; October 18, 1915 (3 shipments), from the State of Ohio into the State of Indiana; July 19, 1915, from the State of Ohio into the State of Maryland; and on October 16, 1915, from the State of Ohio into the State of Missouri, of quantities of articles labeled in part: "Acid Acetylo-Salicylic" and "Tablets Acetyl Ac. Salicylic," which were adulterated and misbranded.

Analyses of samples of the acid acetylsalicylic by the Bureau of Chemistry of this department showed it to be composed of milk sugar, acetanilid, potassium bitartrate, and salicylic acid.

Analyses of samples of the acetylsalicylic acid tablets by the Bureau of Chemistry showed it in two of the shipments to be composed of milk sugar, starch, salicylic acid, and acetanilid, and in two of the shipments to be composed of milk sugar, starch, salicylic acid, and phenacetin.

Adulteration of the acid acetylo-salicylic was alleged in substance in the information for the reason that it was sold as and for acid acetylo-salicylic, and its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding of this article was alleged in substance for the reason that it was an imitation product, containing no acid acetylo-salicylic, and was sold under the name of another article, to wit, acid acetylo-salicylic; for the further reason that the statements appearing on the label, to wit, "Acid Acetylo-Salicylic" and "Chemische Fabrik Vorm Bohenzoller Bresleau," regarding the article and the ingredients or substances contained therein, were false and misleading in that they falsely represented that it was acid acetylo-salicylic, and that it was a foreign product, whereas, in truth and in fact, it was not, but was an imitation product of domestic origin, and contained no acid acetylo-salicylic; and for the further reason that it contained acetanilid and its package failed to bear a statement on the label of the quantity or proportion of acetanilid contained therein.

Adulteration of the tablets acetyl Ac. salicylic was alleged in substance for the reason that it was sold as and for acetyl acid salicylic, and its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding of this article was alleged in substance for the reason that it was an imitation product, containing no acetyl acid salicylic (or, little, if any, acetyl acid salicylic, as the case might be), and was sold under the name of another article, to wit, acetyl acid salicylic; for the further reason in that the statement appearing on the package, to wit, "Acetyl Ac. Salicylic," regarding the article and the ingredients and substances contained therein, was false and misleading in that it falsely represented that it was acetyl acid salicylic,